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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,040	07/12/2001	Raman Chandrasekar	1018.134US1	6976

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EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2161

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/682,040

Applicant(s)

CHANDRASEKAR ET AL.

Examiner

Sana Al-Hashemi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 14-17 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-12, 14-17, and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is issued in response to the applicant's RCE filed on 4/29/05.
2. Claims 1-3, 5-12, 14-17, and 28-30, were amended. No claims were added. Claims 4, 13, were canceled. Claims 18-27, and 31-33 were withdrawn.
3. Claims 1-3, 5-12, 14-17, and 28-30 are pending.
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2003 has been entered.
5. Applicant's arguments filed 4/29/05 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-3, 5-12, 14-17, and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Bowman et al (US Patent No. 6,006,225).

Regarding Claims 1, 9, and 28, Bowman discloses a method for refining a user query, the method comprising:

receiving a query from a user (Col. 4, lines 61-63, Bowman);

mapping the user query to one or more search concepts each having a relative popularity (Col.5, lines 26-33, Bowman) determining by adding a number of popularity points to the search concept for each of a plurality of different query phrases that matches one of a plurality of key phrases associated with the concept search (Fig. 1, 146, Col. 6, 7, lines 59-67, 1-13, respectively, Bowman), wherein the number of popularity points is proportional to a number of times the query phrase appears in a query log (Col. 10, lines 8-15, Bowman

displaying a list of the search concepts associated with the query (Col. 7, lines 24-33, Bowman).

Regarding Claims 2, and 10, Bowman discloses a method further comprising initiating, upon the user's request, a preferred query associated with at least one of the one or more search concepts to provide improved search results (Col. 9, lines 41-50, Bowman).

Regarding Claims 3, and 12, Bowman discloses a method wherein the one or more search concepts are popular search concepts and wherein their relative popularity can be used to order the displayed list (Col. 9, lines 56-63, Bowman).

Regarding Claims 6, and 15, Bowman discloses a method further comprising apportioning a number of popularity points among two or more of the search concepts when a

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plurality of different query phrases match one of a plurality of key phrases associated with the two or more search concepts, wherein the number of popularity points is proportional to the number of times the query phrase appears in the query log (Col. 10, lines 42-49, Bowman).

Regarding Claims 7, and 16, Bowman discloses a method further comprising determining a popularity measure of the search concept as a function of the popularity points of the search concept and the popularity points of a most popular one of the one or more search concepts (Col. 10, lines 50-60, Bowman).

Regarding Claims 8, and 17, Bowman discloses a method wherein the method is performed by execution of instructions stored on a computer-readable medium (Fig. 2, 230, Bowman).

Regarding Claim 11, Bowman discloses a method wherein the set of improved search results comprises one or more sub-sets of the set of improved search results, each sub-set associated with one of the search concepts and having a number of search results proportional to a relative popularity of the one or more concepts (Fig. 2, 240, and 250, Bowman).

Regarding Claim 29, the combination of Woods and Curtis discloses a system wherein the server is a search engine and the client is a web browser (Fig. 2, 200, Bowman).

Regarding Claim 30, Woods discloses a system wherein the server and the client are applications (Fig. 1, 130, Bowman).

Response to Amendment

Applicant argues that Bowman fails to disclose the amended limitation in the independent Claims 1, 9, and 28, “concepts each having a relative popularity.”

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Examiner disagrees. Refereeing to col. 4, lines 22-34, Bowman discloses the concept terms having related terms corresponding to the most frequently searched item.

Applicant argues that Bowman fails to disclose the limitation of “adding a number of popularity points to the search concept for each of a plurality of different query phrases that matches one of a plurality of key phrases associated with the concept search.”

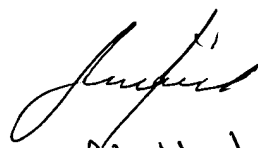
Examiner disagrees. Referring to Fig. 1, 146, Col. 6, 7, lines 59-67, and 1-13, Bowman disclose the step of adding popularity point, since the popularity point as defined in the specification equal the number of time the term has been used (frequency), Examiner believes that the citation disclosed correspond to the claimed limitation.

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Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
June 17, 2005


Sana AL-Hashemi